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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:	Austin et al.
Application No.:	09/683,249
Filed:	December 5, 2001
For:	Combined Balloon-Expanding and Self-Expanding Stent
Examiner:	Michael H. Thaler
Group Art Unit:	3731

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Docket No.: S63.2-10014-US01

FACSIMILE TRANSMITTAL LETTER

TO: Examiner Thaler
FACSIMILE NO.: 703-872-9306

DATE: October 18, 2004
TIME: 3:25pm

GROUP ART UNIT: 3731

TOTAL NUMBER OF PAGES (including cover letter): 2

Following please find a 1 page Request for Continued Examination (RCE) Transmittal in addition to this 1 page Facsimile Transmittal Letter.


If a fee is required, Commissioner of Patents is hereby authorized to charge Deposit Account No. 22-0350 for any required fees. To the extent that any petition is required to consider this communication, please treat this as such a petition.

Respectfully Submitted,

VIDAS, ARRETT & STEINKRAUS, P.A.

Date: October 18, 2004

By:

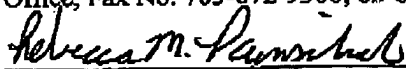

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Signature:


Rebecca M. Painschab

OCT 18 2004

Request For Continued Examination (RCE) Transmittal Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/683249	
	Filing Date	December 5, 2001	
	First Names Inventor	Michael Austin and Barry O'Brien	
	Art Unit	3731	
	Examiner Name	Michael H. Thaler	
	Attorney Docket Number	S63.2B-10014-US01	

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility of plant application filed prior to June 8, 1995, or to any design application.

1. Submission required under 37 CFR 1.114 Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☒ Previously submitted. If a Final Office Action is outstanding, any amendments filed after the Final Office Action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. ☐ Other _____

b. ☐ Enclosed

i. ☐ Amendment/Reply (Pages _____)

iii. ☐ Information Disclosure Statement (IDS) (Pages _____)

ii. ☐ Affidavit(s)/ Declaration(s) (Pages _____)

iv. ☐ Other _____

2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other _____

3. Fees The RCE fee under 37 CFR 1.17(c) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 22-0350.

a. ☒ RCE fee required under 37 CFR 1.17(c)

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other _____

b. ☐ Check in the amount of \$ _____ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Brendan C. Babcock	Registration No. (Attorney/Agent)	50705
Signature	<i>Brendan C. Babcock</i>	Date	October 18, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Rebecca M. Painschab	<i>Rebecca M. Painschab</i>
Signature	<i>Brendan C. Babcock</i>	Date October 18, 2004